Netflix, Inc. v. Blockbuster, Inc.

Doc. 101 Att. 9

Filed 12/06/2006

Page 1 of 13

EXHIBIT 7 (Part 3 of 3)

| | Date Created Bail Greated Bail Answer Strain Answer "Frequently Asked Ouestions." at htth://hlockhuster custhelp com/cei- |
|---|---|
| | bin/blockbuster.cfg/php/enduser/std_alp.php? |
| the step of providing to the customer up to a specified number of the two or more | 4b. BLOCKBUSTER Online® provides to the customer up to a specified number of selected items in the order specified by the customer. |
| selection criteria includes providing to the customer up to a specified number of the two or more items indicated by the one or | "BLOCKBUSTER Online® will automatically ship titles to a [customer] up to a [customer's] maximum number of outstanding BLOCKBUSTER Online® Rentals, from and in the order that [customers] have listed in [their] rental queue, subject to availability." Selection and Allocation of Product. BLOCKBUSTER Online® RENTAL |
| more item selection criteria in the desired order indicated by the item selection criteria, and | TERMS AND CONDITIONS |
| the step of providing to the customer one or more other items indicated by the one or more item selection criteria includes | 4c. In response to receiving any of the items provided to the customer, BLOCKBUSTER Online® will provide to the customer other selected items in the order specified by the customer. |
| providing to the customer one or more other items indicated by the one or more item selection criteria in the desired order indicated by the one or more item selection | Unlimited DVD Rentals For only \$17.99 a month (plus taxes) you can rent all the movies you want. Have up to 3 DVDs out at a time. Keep the DVDs as long as you want. When you're done with a DVD, just send it back in the provided postage paid envelope. We'll send you another selection from your rental queue, Keep your queue full and keep the movies coming. |
| criteria. | See Contention "How it Works", at http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmore &nav=false&cctr=homehowitworks |
| 5. A method as recited in claim 4, further comprising if a particular item from the | 5. If an item is not available, BLOCKBUSTER Online® provides another of the selected items based upon the desired order indicated by the customer. |
| one or more items indicated by the one or more item selection criteria is not | |

| available, then providing another item from the one or more items based upon the Cast Upriated O3/16/2006 08:42-AM O3/16/2006 08:42-AM Purp, didn't BLOCKBUSTER ship the first movie in My Queue? Cast Upriated O3/16/2006 08:42-AM Answer BLOCKBUSTER ship the first movie in My Queue? Answer Answer Answer BLOCKBUSTER ship the first movie in My Queue? Answer BLOCKBUSTER ship the movie in My Queue? Answer BLOCKBUSTER ship the first movie in My Queue? Answer BLOCKBUSTER ship the movie in My Queue? Answer BLOCKBUSTER ship the movie in My Queue? Answer BLOCKBUSTER ship the movie in My Queue? BLOCKBUSTER ship the movie in My Queue? BLOCKBUSTER ship t | e eue | o receiving back any of the ed to the customer, selecting ore other items from the item |
|--|--|---|
| available, then provid from the one or more desired order indicate item selection criteria | 7. A method as re comprising: establishing, based item selection crite for the customer, v queue contains on specify the two or customer desires t | in response to rece items provided to t the one or more otl rental queue. |

| See Contention "How it Works", at http://www.blockbuster.com/homepages/displayPage.action?channel1=Sign+In+Sign+Up&channel2=findoutmore &nav=false&cctr=homehowitworks | - | | COST 5/2006 08:42:AM How do I report an issue with a DVD? | Answer Orint Answer You may report a DVD issue if a DVD is damaged or unplayable. You may also report the issue if a title does not show as checked in after 3 business days, or you have not received a title that we shipped after 3 business days, or you have not received a | Make Sure you are logged into our website, go to My Account and select Report DVD Issues. This function will allow you to have the same title resent, or the next available title in your queue sent, and help us follow up with the postal service. In cases where you have returned a | "Frequently Asked Questions," at http://blockbuster.custhelp.com/cgi-bin/blockbuster.cfg/php/enduser/std_alp.php? |
|--|--|--|---|--|---|---|
| | 8. A method as recited in claim 1, further comprising in response to receiving a customer notification, providing to the | customer a second set of one or more other items indicated by the one or more item selection criteria. | | | | |

9. A method as recited in claim 1, further comprising in response to expiration of a specified amount of time, providing to the customer a second set of one or more other items indicated by the one or more item selection criteria.

open rental slot.

BLOCKBUSTER Online® will provide one or more other DVDs selected by the customer if the customer has an

9. BLOCKBUSTER Online® offers a "limited" rental plan wherein the total number of DVDs provided to a customer every month may not exceed 3 in number. Upon the expiration of the monthly subscription period,

| Plan: Our Most Popular Choice O 3 at a time Unlimited rents | Price: \$17.99 plus tax per month | In-Store Benefits: ** Bonus Offer * FREE in-store coupons 'I per week, 52 a year! |
|--|---|---|
| O 2 at a time Unlimited rents | \$14.99 plus tax per month | * Bonus Offer * FREE in:store coupons 1 per week, 52 a year! |
| C 1 at a time Unlimited rents | \$9.99 plus tax per month | * Bonus Offer * FREE in-store coupons 2 per month, 24 a year! |
| Of 1 at a time limited | \$7.99 plus tax | * Banus-Offer * |

| 10. A method as recited in claim 1, | 10. B |
|--|--------|
| further comprising in response to a | custor |
| specified date being reached, providing to | period |
| the customer a second set of one or more | has an |
| other items indicated by the one or more | |
| item selection criteria. | |

| 10. BLOCKBUSTER Online® offers a "limited" rental plan wherein the total number of DVDs provided to a | customer every month may not exceed 3 in number. Upon the first date of the subsequent monthly subscription period, BLOCKBUSTER Online® will provide one or more other DVDs selected by the customer if the customer has an open rental slot. | |
|---|---|--|
| 10. BLOCKBUSTER Onli | customer every month may period, BLOCKBUSTER (has an open rental slot. | |

11. In response to receipt of payment from a customer who has upgraded to a plan with higher rental maximums, BLOCKBUSTER Online® provides the customer one or more DVDs selected by the customer.

Modifying of BLOCKBUSTER Online Memberships, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS

12. A method as recited in claim 1, wherein items are provided to the customer by mail.

specified fee being received, providing to the customer a second set of one or more other items indicated by the one or more

item selection criteria.

11. A method as recited in claim 1,

further comprising in response to a

"Delivery and return of your BLOCKBUSTER Online Rentals will be via U.S. Postal Service ("USPS"). 12. BLOCKBUSTER Online® provides items to the customer by mail.

| | Delivery and Return of Rented DVDs BI OCKBISTER Online® RENTAL TERMS AND COMPITIONS |
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| 13. A method as recited in claim 1, | 13. BLOCKBUSTER Online® provides items to the customer by a delivery agent |
| wherein items are provided to the customer by a delivery agent. | "Delivery and return of your BLOCKBUSTER Online Rentals will be via U.S. Postal Service ("USPS"). |
| | Delivery and Return of Rented DVDs, BLOCKBUSTER Online® RENTAL TERMS AND CONDITIONS |
| 14. A method as recited in claim 1, wherein: | 14. See Contention 1. |
| the two or more items are two or more | 14a. See Contention 1. |
| movies, | |
| the one or more item selection criteria are one or more movie selection criteria. | 14b. See Contention 1a. |
| the step of receiving one or more item | 14c. See Contention 1a. |
| selection criteria that indicates two or more | |
| items that a customer desires to rent | |
| includes receiving one or more movie | |
| selection criteria that indicates two or more | |
| movies that a customer desires to rent, | |
| the step or providing to the customer up to | 14d. See Contention 1b. |
| a specified number of the one or more | |
| items indicated by the one or more item | |
| selection criteria includes providing to the | |
| customer up to a specified number of the | |
| two or more movies indicated by the one | |
| or more movie selection criteria, and | |
| the step of in response to receiving any of | 14e. See Contention 1c. |
| the items provided to the customer, | |
| providing to the customer one or more | |
| other items indicated by the one or more | |
| item selection criteria, wherein a total | |
| current number of items provided to the | |
| customer does not exceed the specified | |
| number includes in response to receiving | |
| any of the movies provided to the | |
| customer, providing to the customer one or | |
| more other movies indicated by the one or | |
| more movie selection criteria, wherein a | |

| total current number of movies provided to the customer does not exceed the specified | |
|---|--|
| 16. A method for renting items to customers, the method comprising the computer-implemented steps of: | 16. See Contention 1. |
| receiving one or more item selection criteria that indicates two or more items that a customer desires to rent; | 16a. See Contention 1a. |
| providing to the customer up to a specified number of the two or more items indicated by the one or more item selection criteria; and | 16b. See Contention 1b. |
| in response to receiving any of the items provided to the customer, providing to the customer one or more other items indicated by the one or more item selection criteria, wherein a total number of items provided to the customer within a specified period of time does not exceed a specified limit. | 16c. BLOCKBUSTER Online® offers a "limited" rental plans wherein the total number of DVDs provided to a customer every month may not exceed 3 in number. Choose a Plan: Plan: Our blost Popular choice \$17,99 plus tax Unilimited rents \$14.99 plus tax * Bonus Offer * Unilimited rents \$14.99 plus tax * Bonus Offer * Unilimited rents \$9.99 plus tax * Bonus Offer * Unilimited rents \$9.99 plus tax * Bonus Offer * Unilimited rents \$9.99 plus tax * Bonus Offer * Unilimited rents Pet month 1 per week, 52 a year! 2 per month 3 per month 4 per month 2 per month 2 per month 3 per month 4 per month 5 per month 5 per month 6 per mo |
| | |

| 19. A method as recited in claim 16, wherein | 19. See Contention 16. |
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| the one or more item selection criteria indicates a desired order for the two or | 19a. See Contention 4a. |
| more items that a customer desires to rent, | |
| the step of providing to the customer up to a specified number of the two or more | 19b. See Contention 4b. |
| items indicated by the one or more item | |
| customer up to a specified number of the | |
| two or more items indicated by the one or | |
| more item selection criteria in the desired | |
| selection criteria, and | |
| the step of providing to the customer one | 19c. See Contention 4c. |
| or more other items indicated by the one or | |
| more item selection criteria includes | |
| providing to the customer one or more | |
| other items indicated by the one or more | |
| item selection criteria in the desired order | |
| indicated by the one or more item selection | |
| criteria. | |
| 20. A method as recited in claim 19, | 20. See Contention 5. |
| further comprising if a particular item from | |
| the two or more items indicated by the one | |
| or more item selection criteria is not | |
| available, then providing another item | |
| from the two or more items based upon the | |
| desired order indicated by the one or more | |
| item selection criteria. | |
| 22. A method as recited in claim 16, further comprising | 22. See Contention 16. |
| establishing, based upon the one or more item selection criteria on item rental managed | 22a. See Contention 7a. |
| for the customer, wherein the item rental | |
| queue contains one or more entries that | |
| | |

| specified the two or more items that the customer desires to rent; and | |
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| in response to receiving back any of the items provided to the customer, selecting | 22b. See Contention 7b. |
| the one or more other items from the item rental queue. | |
| 23. A method as recited in claim 16, | 23. See Contention 8. |
| further comprising in response to receiving | |
| a customer notification, providing to the | |
| customer a second set of one or more other | |
| selection criteria. | |
| 24. A method as recited in claim 16, | 24. See Contention 9. |
| further comprising in response to | |
| expiration of a specified amount of time, | |
| providing to the customer a second set of | |
| one or more other items indicated by the | |
| one or more item selection criteria. | |
| 25. A method as recited in claim 16, | 25. See Contention 10. |
| further comprising in response to a | |
| specified date being reached, providing to | |
| the customer a second set of one or more | |
| other items indicated by the one or more | |
| item selection criteria. | |
| 26. A method as recited in claim 16, | 26. See Contention 11. |
| further comprising in response to a | |
| specified fee being received, providing to | |
| the customer a second set of one or more | |
| other items indicated by the one or more | |
| item selection criteria. | |
| 27. A method as recited in claim 16, | 27. See Contention 12. |
| wherein items are provided to the customer | |
| by mail. | |
| 28. A method as recited in claim 16, | 28. See Contention 13. |
| Wherein items are provided to the customer by a delivery agent | |
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| 20 A mathed as assisted in this 16 | |
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| wherein: | 23. See Contention 10. |
| the two or more items are two or more movies, | 29a. See Contention 14a. |
| the one or more item selection criteria are one or more movie selection criteria, | 29b. See Contention 14b. |
| the step of receiving one or more item selection criteria that indicates two or more | 29c. See Contention 14c. |
| items that a customer desires to rent includes receiving one or more movie | |
| selection criteria that indicates two or more movies that a customer desires to rent, | |
| the step of providing to the customer up to a specified number of the one or more | 29d. See Contention 14d. |
| items indicated by the one or more item | |
| selection criteria includes providing to the | |
| customer up to a specified number of the | |
| two or more movies indicated by the one | |
| of more movie selection criteria, and | |
| the items provided to the customer | 29e. See Contention 14e. |
| providing to the customer one or more | |
| other items indicated by the one or more | |
| item selection criteria, wherein a total | |
| number of items provided to the customer | |
| within a specified period of time does not | |
| response to receiving only of the morning | |
| provided to the customer, providing to the | |
| customer one or more other movies | |
| indicated by the one or more movie | |
| selection criteria, wherein a total number | |
| of items provided to the customer within a | |
| specified period of time does not exceed a | |
| | |
| 31. A method for renting movies to | 31. See Contention 1. |

| customers, the method comprising the computer-implemented steps of: | |
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| receiving one or more movie selection criteria from a customer that indicates two or more movies that the customer desires to rent: | 31a. See Contention 1a. |
| providing to the customer up to a specified number of the two or more movies indicated by the one or more movie selection criteria; and | 31b. See Contention 1b. |
| in response to a return of any of the movies provided to the customer, providing to the customer one or more other movies indicated by the one or more movie selection criteria, wherein a total current number of movies provided to the customer does not exceed the specified number. | 31c. See Contention 1c. |
| 32. A method as recited in claim 31, wherein | 32. See Contention 31. |
| the one or more movie selection criteria specifies an order in which the customer desires to receive the movies, | 32a. See Contention 4a. |
| the step of providing to the customer up to a specified number of the two or more movies indicated by the one or more movie selection criteria includes providing to the customer up to a specified number of the two or more movies indicated by the move selection criteria in the order specified by the one or more movie selection criteria, and | 32b. See Contention 4b. |
| the step of providing to the customer one or more other movies specified by the one or more movie selection criteria includes providing to the customer one or more | 32c. See Contention 4c. |

| other movies specified by the one or more | managed programmer and the state of the stat |
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| movie selection criteria in the order | |
| specified by the one or more movie | |
| selection criteria. | |
| 34. A method as recited in claim 31, | 34. See Contention 12. |
| wherein movies are provided to the | |
| customer by mail | |
| 35. A method as recited in claim 31, | 35. See Contention 13. |
| wherein movies are provided to the | |
| customer by a delivery agent. | |